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August 16, 2006

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Art Unit 2872

Attn: Mail Stop Amendment

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Re:

U.S. Utility Patent Application

Application No. 10/808,360; Filed: March 25, 2004

**Optical Cube** For: Inventors: Our Ref:

Edlou et al. 1857.0870001

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Credit Card Payment Form (PTO-2038) in the amount of \$180.00 to cover:

\$180.00 Information Disclosure Statement Fee;

- 2. Fifth Supplemental Information Disclosure Statement;
- 3. Form PTO-1449 (1 sheet) listing the cited documents;
- Copies of the two (2) cited documents (FP1 and NPL1); and
- 5. Return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Sterne, Kessler, Goldstein & Fox P.L.C.: 1100 New York Avenue, NW: Washington, DC 20005: 202.371.2600 f 202.371.2540: www.skgf.com

Commissioner for Patents August 16, 2006 Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Jason D. Eisenberg Attorney for Applicants

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JDE/tdd Enclosures

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Edlou et al.

Appl. No.: 10/808,360 Filed: March 25, 2004

For: Optical Cube

Confirmation No.: 4756

Art Unit: 2872

Examiner: Arnel C. Lavarias

Atty. Docket: 1857.0870001

## Fifth Supplemental Information Disclosure Statement

Mail Stop AF

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Sir:

Listed on accompanying IDS Forms are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. Copies of the documents are enclosed.

Applicants have listed publication dates on the attached IDS Forms based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

08/18/2996 HALIII 00090967 108008369
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This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent

application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

Filing under 37 C.F.R. § 1.97(d). This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection. Enclosed find our PTO-2038 Credit Card Payment Form in the amount of \$180.00 in payment of the fee under 37 C.F.R. § 1.17(p). In addition, I hereby state, under 37 C.F.R. § 1.97(e)(1), that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

Document FP1 was cited in a search report, dated May 16, 2006, by a foreign patent office in a counterpart foreign application. Submission of an English language version of the search report that indicates the degree of relevance found by the foreign office is provided as document NPL1 in satisfaction of the requirement for a concise explanation of relevance. 1138 OG 37, 38.

It is respectfully requested that the Examiner initial and return a copy of the enclosed IDS Forms, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Jason D. Eisenberg

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Date: August 16, 2006

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Page 1 of 1 APPLICATION NO. ATTY, DOCKET NO. AUG 1 6 2006 10/808,360 FORM PTO-1449 1857.0870001 FIRST NAMED INVENTOR FIFTH SUPPLEMENT Samad M. Edlou INFORMATION DISCLOSURE FILING DATE **ART UNIT** 2872 March 25, 2004 **U.S. PATENT DOCUMENTS EXAMINER** DOC. CLASS SUB-CLASS FILING DATE NAME **DOCUMENT NUMBER** DATE REF. INITIAL US US US US US US US US US FOREIGN PATENT DOCUMENTS **TRANSLATION** SUB-CLASS **EXAMINER** DOC. CLASS NAME DOCUMENT NUMBER DATE INITIAL REF. N/A Carl Zeiss 03-20-1913 GB 1869 FP1 Yes No FP Yes No FP Yes No FΡ NON-PATENT LITERATURE DOCUMENTS EXAMINER INITIAL DOC. CITATION REF. Examination Report, for European Appl. No. 03022272.3, 3 pages, mailed May 16, 2006. NPL1 **NPL** NPL **NPL** 

**EXAMINER**: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

DATE CONSIDERED

**EXAMINER** 

**NPL**